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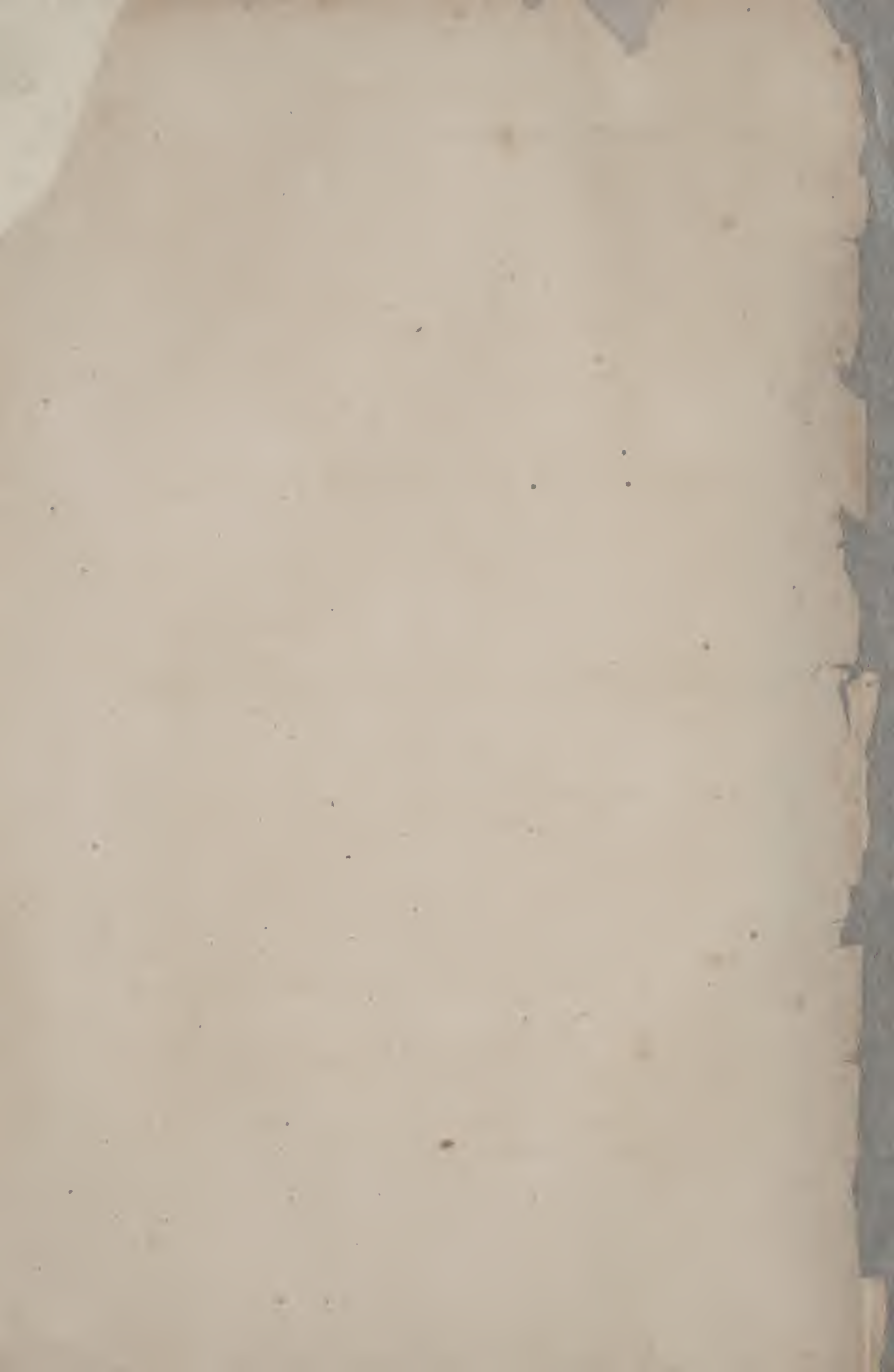
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South Carolina. Constitution.

CONSTITUTION
OF THE
STATE OF SOUTH CAROLINA.
JUNE 3, 1790.

*Columbia, S. C.
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1855,*



REC. Oct. 20, 1922.

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CONSTITUTION

OF

THE STATE OF SOUTH CAROLINA.

JUNE 3, 1790.

[Appended to the Acts passed at the session of 1855, by order of the Legislature.]

WE, the Delegates of the People of the State of South Carolina, in General Convention met, do ordain and establish this Constitution for its government.

ARTICLE I.

SEC. 1. The legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

SEC. 2. The House of Representatives shall be composed of members chosen by ballot, every second year, by the citizens of this State, qualified as in this Constitution is provided.

SEC. 3. The several election districts in this State shall elect the following number of representatives, viz :

Pinebluff District	{	Spartan, <i>(Spartanburg)</i>	-	-	-	-	4	Two Members.		
		Greenville,	-	-	-	-	4	Two	"	
Widewater District	{	Pendleton,	-	-	-	-	5	Three	"	
		St. Mathew,	-	-	-	-	1	Two	"	
Winton District	{	Orange, <i>XX</i>	-	-	-	-	-	Two	"	
		Winton, (including the district between Savannah								
		river and the north Fork of Edisto, <i>XX</i>	-	-	-	-	-	3	Three	"
	{	Saxe Gotha,	-	-	-	-	2	Three	"	

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SEC. 4. Every free white man, of the age of twenty-one years, being a citizen of this State, and having resided therein two years previous to the day of election, and who hath a freehold of fifty acres of Land, or a Town Lot, of which he hath been legally seized and possessed at least six months before such election, or, not having such freehold or town lot, hath been a resident in the election district, in which he offers to give his vote, six months before the said election, and hath paid a tax the preceding year, of three shillings sterling, towards the support of this government, shall have a right to vote for a member or members, to serve in either branch of the legislature, for the election district in which he holds such property, or is so resident.

SEC. 5. The returning officer, or any other person present, entitled to vote, may require any person who shall offer his vote at an election, to produce a certificate of his citizenship, and a receipt from the tax collector, of his having paid a tax, entitling him to vote, or swear or affirm that he is duly qualified to vote agreeably to this constitution.

SEC. 6. No person shall be eligible to a seat in the House of Representatives, unless he is a free white man of the age of twenty-one years, and hath been a citizen and resident in this State, three years previous to his election. If a resident in the election district, he shall not be eligible to a seat in the House of Representatives, unless he be legally seized and possessed, in his own right, of a settled freehold estate of five hundred acres of land, and ten negroes; or of a real estate of the value of one hundred and fifty pounds sterling, clear of debt. If a non-resident, he shall be legally seized and possessed of a settled freehold estate therein, of the value of five hundred pounds sterling, clear of debt.

SEC. 7. The Senate shall be composed of members, to be chosen for four years, in the following proportions, by the citizens of this State, qualified to elect members to the House of Representatives, at the same time, in the same manner, and at the same places where they shall vote for representatives, viz :

CONSTITUTION OF THE

Charleston, (including St. Philip and St. Michael,)	Two Members.
Christ Church, - - - - -	One "
St. John, Berkley, - - - - -	One "
St. Andrew, - - - - -	One "
St. George, - - - - -	One "
St. James, Goose Creek, - - - - -	One "
St. Thomas and St. Dennis, - - - - -	One "
St. Paul, - - - - -	One "
St. Bartholomew, - - - - -	One "
St. James, Santee, - - - - -	One "
St. John, Colleton, - - - - -	One "
St. Stephen, - - - - -	One "
St. Helena, - - - - -	One "
St. Luke, - - - - -	One "
Prince William, - - - - -	One "
St. Peter, - - - - -	One "
All Saints, - - - - -	One "
Winyaw and Williamsburgh, - - - - -	One "
Liberty and Kingston, - - - - -	One "
Marlborough, Chesterfield and Darlington, - - - - -	Two "
York, - - - - -	One "
Fairfield, Richland and Chester, - - - - -	One "
Lancaster and Kershaw, - - - - -	One "
Claremont and Clarendon, - - - - -	One "
Abbeville, - - - - -	One "
Edgefield, - - - - -	One "
Newberry, (including the fork between Broad and Saluda rivers,) - - - - -	One "
Laurens, - - - - -	One "
Union, - - - - -	One "
Spartan, - - - - -	One "
Greenville, - - - - -	One "
Pendleton, - - - - -	One "
St. Mathew and Orange, - - - - -	One "
Winton, (including the distance between Savannah river and the North fork of Edisto,) - - - - -	One "
Saxe Gotha, - - - - -	One "

SEC. 8. No person shall be eligible to a seat in the Senate, unless he is a free white man, of the age of thirty years, and hath been a citizen and resident in this State, five years previous to his election. If a resident in the election district, he shall not be eligible, unless he be legally seized and possessed, in his own right, of a settled freehold estate of the value of three hundred pounds sterling, clear of debt. If a non-resident in the election district, he shall not be eligible, unless he be legally seized and possessed, in his own right, of a settled freehold estate, in the said district, of the value of one thousand pounds sterling, clear of debt.

SEC. 9. Immediately after the Senators shall be assembled, in consequence of the first election, they shall be divided by lot, into two classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, and of the second class, at the expiration of the fourth year; so that one half thereof, as near as possible, may be chosen, forever thereafter, every second year, for the term of four years.

SEC. 10. Senators, and members of the House of Representatives, shall be chosen on the second Monday in October next, and the day following; and on the same days in every second year thereafter, in such manner and at such times as are herein directed, and shall meet on the fourth Monday in November, annually, at Columbia, (which shall remain the seat of government, until otherwise determined by the concurrence of two-thirds of both branches of the whole representation,) unless the casualties of war, or contagious disorders, should render it unsafe to meet there; in either of which cases, the Governor or Commander-in-Chief, for the time being, may, by proclamation, appoint a more secure and convenient place of meeting.

SEC. 11. Each house shall judge of the elections, returns, and qualifications of its own members; and a majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as may be provided by law.

SEC. 12. Each house shall choose, by ballot, its own officers, determine its rules of proceeding, punish its members for disorderly behaviour, and with the concurrence of two-thirds, expel a member, but not a second time for the same cause.

SEC. 13. Each house may punish, by imprisonment, during its sitting, any person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behaviour in its presence; or who, during the time of its sitting, shall threaten harm to body or estate of any

member, for anything said or done in either house; or who shall assault any of them therefor; or who shall assault or arrest any witness or other person ordered to attend the house, in his going to or returning therefrom; or who shall rescue any person arrested by order of the house.

SEC. 14. The members of both houses shall be protected in their persons and estates, during their attendance on, going to, and returning from, the legislature, and ten days previous to the sitting, and ten days after the adjournment of the legislature. But these privileges shall not be extended so as to protect any member who shall be charged with treason, felony, or breach of the peace.

SEC. 15. Bills for raising a revenue shall originate in the House of Representatives, but may be altered, amended, or rejected by the Senate.

All other bills may originate in either house, and may be amended, altered, or rejected by the other.

SEC. 16. No bill or ordinance shall have the force of law, until it shall have been read three times, and on three several days, in each house, has had the great seal affixed to it, and has been signed, in the Senate House, by the President of the Senate and Speaker of the House of Representatives.

SEC. 17. No money shall be drawn out of the public treasury, but by the legislative authority of the State.

SEC. 18. The members of the legislature, who shall assemble under this constitution, shall be entitled to receive, out of the public treasury, as a compensation for their expenses, a sum not exceeding seven shillings sterling a day, during their attendance on, going to, and returning from the legislature; but the same may be increased or diminished by law, if circumstances shall require; but no alterations shall be made by any legislature, to take effect during the existence of the legislature which shall make such alteration.

SEC. 19. Neither house, during their session, without the consent of the other, shall adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SEC. 20. No bill or ordinance, which shall have been rejected by either house, shall be brought in again during the sitting, without leave of the house, and notice of six days being previously given.

SEC. 21. No person shall be eligible to a seat in the legislature, whilst he holds any office of profit or trust, under this State, the United States, or either of them, or under any other power—except officers in the militia,

army, or navy of this State, Justices of the Peace or Justices of the County Courts, while they receive no salaries; nor shall any contractor of the army or navy of this State, the United States, or either of them, or the agents of such contractor, be eligible to a seat in either house. And if any member shall accept or exercise any of the said disqualifying offices, he shall vacate his seat.

SEC. 22. If any election district shall neglect to choose a member or members, on the days of election, or if any person chosen a member of either house, should refuse to qualify and take his seat, or should die, depart the State, or accept any disqualifying office, a writ of election shall be issued by the President of the Senate, or Speaker of the House of Representatives, as the case may be, for the purpose of filling up the vacancy thereby occasioned, for the remainder of the term for which the person so refusing to qualify, dying, departing the State, or accepting a disqualifying office, was elected to serve.

SEC. 23. And whereas, the ministers of the gospel are, by their profession, dedicated to the service of God, and the cure of souls, and ought not to be diverted from the great duties of their function; therefore, no minister of the gospel, or public preacher of any religious persuasion, whilst he continues in the exercise of his pastoral functions, shall be eligible to the office of Governor, Lieutenant Governor, or to a seat in the Senate or House of Representatives.

ARTICLE II.

SEC. 1. The Executive authority of this State shall be vested in a Governor, to be chosen in the manner following: As soon as may be, after the first meeting of the Senate and House of Representatives, and at every first meeting of the House of Representatives thereafter, when a majority of both Houses shall be present, the Senate and House of Representatives shall, jointly, in the House of Representatives, choose by ballot, a Governor, to continue for two years, and until a new election shall be made.

SEC. 2. No person shall be eligible to the office of Governor, unless he hath attained the age of thirty years, and hath resided within the State, and been a citizen thereof, ten years, and unless he be seized and possessed of a settled estate within the same, in his own right, of the value of fifteen hundred pounds sterling, clear of debt.

No person having served two years as Governor, shall be re-eligible to that office, till after the expiration of four years.

No person shall hold the office of Governor, and any other office, or commission, civil or military, except in the militia, either in this State, or under any State, or the United States, or any other power, at one and the same time.

SEC. 3. A Lieutenant Governor shall be chosen at the same time, in the same manner, continue in office for the same period, and be possessed of the same qualifications as the Governor.

SEC. 4. A Member of the Senate or House of Representatives, being chosen, and acting as Governor or Lieutenant Governor, shall vacate his seat, and another person shall be elected in his stead.

SEC. 5. In case of the impeachment of the Governor, or his removal from office, death, resignation, or absence from the State, the Lieutenant-Governor shall succeed to his office. And in case of the impeachment of the Lieutenant-Governor, or his removal from office, death, resignation, or absence from the State, the President of the Senate shall succeed to his office, until a nomination to those offices, respectively, shall be made by the Senate and House of Representatives, for the remainder of the time for which the officer so impeached, removed from office, dying, resigning, or being absent, was elected.

SEC. 6. The Governor shall be Commander-in-Chief of the Army and Navy of this State, and of the Militia, except when they shall be called into the actual service of the United States.

SEC. 7. He shall have power to grant reprieves and pardons, after conviction, except in cases of impeachment, in such manner, on such terms, and under such restrictions, as he shall think proper; and he shall have power to remit fines and forfeitures, unless otherwise directed by law.

SEC. 8. He shall take care that the laws are faithfully executed, in merey.

SEC. 9. He shall have power to prohibit the exportation of provisions, for any time not exceeding thirty days.

SEC. 10. He shall, at stated times, receive for his services, a compensation which shall be neither increased or diminished, during the period for which he shall have been elected.

SEC. 11. All the officers in the Executive Department, when required by the Governor, shall give him information in writing, upon any subject relating to the duties of their respective offices.

SEC. 12. The Governor shall, from time to time, give to the General Assembly, information of the condition of the State, and recommend to their consideration such measures as he shall judge necessary or expedient.

SEC. 13. He may, on extraordinary occasions, convene the General Assembly, and, in case of disagreement between the two Houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the fourth Monday in the month of November, then ensuing.

ARTICLE III.

SEC. 1. The judicial power shall be vested in such superior and inferior courts of law and equity, as the Legislature shall, from time to time, direct and establish.

The Judges of each shall hold their commissions during good behavior; and the Judges of the Superior Courts shall, at stated times, receive a compensation for their services, which shall neither be increased or diminished during their continuance in office: but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust, under this State, the United States, or any other power.

SEC. 2. The style of all process shall be, "The State of South Carolina." All prosecutions shall be carried on in the name, and by the authority of the State of South Carolina, and conclude—"against the peace and dignity of the same."

ARTICLE IV.

All persons who shall be chosen or appointed to any office of profit or trust, before entering on the execution thereof, shall take the following oath: "I do swear (or affirm,) that I am duly qualified, according to the constitution of this State, to exercise the office to which I have been appointed, and will, to the best of my abilities, discharge the duties thereof, and preserve, protect, and defend the constitution of this State, and of the United States."

ARTICLE V.

SEC. 1. The House of Representatives shall have the sole power of impeaching; but no impeachment shall be made, unless with the concurrence of two-thirds of the House of Representatives.

SEC. 2. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be on oath or affirmation; and no person shall be convicted, without the concurrence of two-thirds of the members present.

SEC. 3. The Governor, Lieutenant Governor, and all the civil officers, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than to a removal from office, and disqualification to hold any office of honor, trust, or profit, under this State. The party convicted shall, nevertheless, be liable to indictment, trial, judgment, and punishment, according to law.

ARTICLE VI.

SEC. 1. The Judges of the Superior Courts, the Commissioners of the Treasury, Secretary of the State, and Surveyor General, shall be elected by the joint ballot of both Houses, in the House of Representatives. The Commissioners of the Treasury, Secretary of the State, and Surveyor General, shall hold their offices for four years; but shall not be eligible again for four years after the expiration of the time for which they shall have been elected.

SEC. 2. All other officers shall be appointed as they hitherto have been, until otherwise directed by law; but Sheriffs shall hold their offices for four years, and not be again eligible for four years after the term for which they shall have been elected.

SEC. 3. All commissions shall be in the name, and by the authority of the State of South Carolina, and be sealed with the seal of the State, and be signed by the Governor.

ARTICLE VII.

All laws of force in this State, at the passing of this constitution, shall so continue, until altered or repealed by the legislature; except where they are temporary, in which case they shall expire at the times respectively limited for their duration, if not continued by Act of the Legislature.

ARTICLE VIII.

SEC. 1. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall, forever hereafter, be allowed within this State, to all mankind; provided, that the liberty of conscience thereby declared, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

SEC. 2. The rights, privileges, immunities, and estates of both civil and religious societies and of corporate bodies, shall remain as if the constitution of this State had not been altered or amended.

ARTICLE IX.

SEC. 1. All power is originally vested in the people; and all free governments are founded on their authority, and are instituted for their peace, safety and happiness.

SEC. 2. No freeman of this State shall be taken, or imprisoned, or dis-seized of his freehold, liberties, or privileges; or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty, or property, but by the judgment of his peers, or by the law of the land; nor shall any bill of attainder, ex post facto law, or law impairing the obligation of contracts, ever be passed by the Legislature of this State.

SEC. 3. The military shall be subordinate to the civil power.

SEC. 4. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

SEC. 5. The Legislature shall not grant any title of nobility, or hereditary distinction, nor create any office, the appointment to which shall be for any longer time than during good behaviour.

SEC. 6. The trial by jury, as heretofore used in this State, and the liberty of the press, shall be forever inviolably preserved.

ARTICLE X.

SEC. 1. The business of the Treasury shall be in future conducted by two Treasurers, one of whom shall hold his office and reside in Columbia; the other shall hold his office and reside in Charleston.

SEC. 2. The Secretary of State, and the Surveyor General, shall hold their offices both in Columbia and Charleston. They shall reside at one place, and their deputies at the other.

SEC. 3. At the conclusion of the Circuits, the Judges shall meet and sit at Columbia, for the purpose of hearing and determining all motions which may be made for new trials, and in arrest of judgments, and such points of law as may be submitted to them. From Columbia they shall proceed to Charleston, and there hear and determine all such motions for new trials, and in arrest of judgment, and such points of law, as may be submitted to them.

SEC. 4. The Governor shall always reside, during the sitting of the Legislature, at the place where their session may be held, and at all other times, wherever, in his opinion, the public good may require.

SEC. 5. The Legislature shall, as soon as may be convenient, pass laws for the abolition of the rights of primogeniture, and for giving an equitable distribution of the real estates of intestates.

ARTICLE XI.

No Convention of the people shall be called, unless by the concurrence of two-thirds of both branches of the whole representation.

No part of this Constitution shall be altered, unless a bill to alter the same shall have been read three times in the House of Representatives, and three times in the Senate, and agreed to by two-thirds of both branches of the whole representation; neither shall any alteration take place, until the bill, so agreed to, be published three months previous to a new election for members to the House of Representatives; and if the alteration proposed by the Legislature, shall be agreed to in the first session, by two-thirds of the whole representation in both branches of the Legislature after the same shall have been read three times, on three several days, in each House, then, and not otherwise, the same shall become a part of the Constitution.

Done in Convention, at Columbia, in the State of South Carolina, the third day of June, in the Year of our Lord seventeen hundred and ninety, and in the fourteenth year of the Independence of the United States of America.

By the unanimous order of the Convention.

CHARLES PINCKNEY, President.

Attest, JOHN S. DART, Secretary.

That no inconvenience may arise from the alterations and amendments in the Constitution of this State, it is hereby declared and ordained :

SEC. 1. That the government shall be administered as heretofore, until the meeting and sitting of the Legislature, to be held under this constitution.

SEC. 2. And whereas, the existing laws render it highly inconvenient for the Legislature to meet on the fourth Monday in November next, it is therefore ordained, that instead thereof, the members of the Senate and House of Representatives, to be elected on the second Monday in October, and on the day following, shall meet at Columbia, the seat of Government, on the first Monday in January next.

SEC. 3. It is also ordained, that the Commissioners of the Treasury shall, with all convenient dispatch, take a balance of the treasury books, which balance shall be lodged in the Treasurer's office, in Columbia, and the original books in the Treasurer's office, in Charleston.

SEC. 4. It is the opinion of the Convention, that the Legislature, at the first session which shall be held under this constitution, should regulate and establish by law, all the fees of the respective courts and offices throughout this State.

SEC. 5. That they also provide for the annual and final settlement of the accounts of the Commissioners of the Treasury, so that the pecuniary interest of the State be duly attended to, and the persons who faithfully discharge the duties of that important office, be quieted therein, and their sureties released in a fixed and reasonable time.

SEC. 6. That the Legislature shall make effectual provision for revising, digesting and publishing the laws of this State, so that a general knowledge thereof may be diffused among the citizens of this State.

SEC. 7. The Legislature, at their next meeting, shall proceed to the election of Justices of the Peace, throughout the State, and Justices of the county courts, where county courts are established, and that all former commissions of the peace then cease ; and that, in future, all commissions of the peace expire at fixed periods, to be declared by law.

SEC. 8. That all rotatory officers, at the first meeting of the Legislature, under this constitution, may be re-elected, notwithstanding any time they may have before served, under the former constitution.

By the unanimous order of the Convention, June 3, 1790.

CHARLES PINCKNEY, *President.*

Attest, JOHN SANDFORD DART, *Secretary.*

AMENDMENTS TO THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA.

AMENDMENTS RATIFIED DECEMBER 17, 1808.

SEC. 1. The following sections, in amendment of the third, seventh and ninth sections of the first article of the constitution of this State, shall be, and they are hereby declared, to be valid parts of the said constitution; and the said third, seventh and ninth sections, or such parts thereof as are repugnant to such amendments, are hereby repealed and made void.

SEC. 2. The House of Representatives shall consist of one hundred and twenty-four members; to be apportioned among the several election districts of the State, according to the number of white inhabitants contained, and the amount of all taxes raised by the Legislature, whether direct or indirect, or of whatever species, paid in each, deducting therefrom all taxes paid on account of property held in any other district; and adding thereto, all taxes elsewhere paid on account of property held in such district; an enumeration of the white inhabitants, for this purpose, shall be made in the year one thousand eight hundred and nine, and in the course of every tenth year thereafter, in such manner as shall be by law directed; and representatives shall be assigned to the different districts, in the above mentioned proportion, by act of the Legislature, at the session immediately succeeding the above enumeration.

SEC. 3. If the enumeration herein directed should not be made in the course of the year appointed for the purpose, by these amendments, it shall be the duty of the Governor to have it effected as soon thereafter as shall be practicable.

SEC. 4. In assigning representatives to the several districts of this State, the Legislature shall allow one representative for every sixty-second part of the whole number of white inhabitants in the State; and one representative also for every sixty-second part of the whole taxes raised by the Legislature of the State. The Legislature shall further allow one representative for such fractions of the sixty-second part of the white inhabitants of the State, and of the sixty-second part of the taxes raised by the Legislature of the State, as when added together, form a unit.

SEC. 5. In every apportionment of representation, under these amendments, which shall take place after the first apportionment, the amount of taxes shall be estimated from the average of the ten preceding years; but the first apportionment shall be founded upon the tax of the preceding year,

excluding from the amount thereof, the whole produce of the tax on sales at public auction.

SEC. 6. If in the apportionment of representatives, under these amendments, any election district shall appear not to be entitled, from its population and its taxes, to a representative, such election district shall nevertheless send one representative; and if there should be still a deficiency of the number of representatives required by these amendments, such deficiency shall be supplied by assigning representatives to those election districts having the largest surplus fractions, whether those fractions consist of a combination of population and taxes, or of population, or of taxes separately, until the number of one hundred and twenty-four members be provided.

SEC. 7. No apportionment, under these amendments, shall be construed to take effect in any manner, until the general election which shall succeed such apportionment.

SEC. 8. The election districts for members of the House of Representatives, shall be and remain as heretofore established, except Saxe Gotha and Newberry, in which the boundaries shall be altered as follows, viz: That part of Lexington, in the fork of Broad and Saluda rivers, shall no longer compose a part of the election district of Newberry, but shall be henceforth attached to and form a part of Saxe Gotha. And also except Orange and Barnwell, or Winton, in which the boundaries shall be altered as follows, viz: That part of Orange, in the fork of Edisto, shall no longer compose a part of the election district of Barnwell or Winton, but shall henceforth be attached to and form a part of Orange election district.

SEC. 9. The Senate shall be composed of one member from each election district, as now established for the election of members of the House of Representatives, except the district formed by the parishes of St. Philip and St. Michael, to which shall be allowed two Senators, as heretofore.

SEC. 10. The seats of those Senators who, under the constitution, shall represent two or more election districts, on the day preceeding the second Monday of October, which will be in the year one thousand eight hundred and ten, shall be vacated on that day, and the new Senators who shall represent such districts under these amendments, shall, immediately after they shall have been assembled under the first election, be divided by lot into two classes; the seats of the Senators of the first class shall be vacated at the expiration of the second year; and of the second class, at the expiration of the fourth year; and the number of these classes shall be proportioned, that one half of the whole number of Senators may, as nearly as possible, continue to be chosen thereafter, every second year.

SEC. 11. None of these amendments, becoming parts of the constitution of this State, shall be altered, unless a bill to alter the same shall have been read, on three several days, in the House of Representatives, and on three several days, in the Senate, and agreed to at the second and third reading, by two-thirds of the whole representation, in each branch of the Legislature; neither shall any alteration take place, until the bill, so agreed to, be published three months previous to a new election for members to the House of Representatives; and if the alteration proposed by the Legislature shall be agreed to in their first session, by two-thirds of the whole representation, in each branch of the Legislature, after the same shall have been read on three several days, in each house, then, and not otherwise, the same shall become a part of the constitution.

AMENDMENT, RATIFIED DECEMBER 19, 1810.

That the fourth section of the first article of the constitution of this State, be altered and amended to read as follows: Every free white man, of the age of twenty-one years, paupers and non-commissioned officers and private soldiers of the army of the United States, excepted, being a citizen of the State, and having resided therein two years previous to the day of election, and who hath a freehold of fifty acres of land, or a town lot, of which he hath been legally seized and possessed at least six months before such election, or, not having such freehold or town lot, hath been a resident in the election district, in which he offers to give his vote, six months before the said election, shall have a right to vote for a member or members, to serve in either branch of the legislature, for the election district in which he holds such property, or is so resident.

AMENDMENT, RATIFIED DECEMBER 19, 1816.

That the third section of the tenth article of the constitution of this State, be altered and amended to read as follows: The Judges shall, at such times and places as shall be prescribed by act of the Legislature of this State, meet and sit for the purpose of hearing and determining all motions which may be made for new trials, and in arrest of judgment, and such points of law as may be submitted to them.

AMENDMENT, RATIFIED DECEMBER 20, 1820.

That all that territory lying within the chartered limits of this State, and

which was ceded by the Cherokee nation, in a treaty concluded at Washington, on the twenty-second day of March, in the year of our Lord one thousand eight hundred and sixteen, and confirmed by an act of the Legislature of this State, passed on the nineteenth day of December, in the same year, shall be, and the same is hereby declared to be annexed to, and shall form and continue a part of the election district of Pendleton.

AMENDMENT, RATIFIED DECEMBER 19-20, 1828.

That the third section of the fifth article of the constitution of this State, shall be altered, to read as follows, viz :

SEC. 3. The Governor, Lieutenant-Governor, and all civil officers, shall be liable to impeachment for high crimes and misdemeanors, for any misbehavior in office, for corruption in procuring office, or for any act which shall degrade their official character. But judgment, in such cases, shall not extend further than to removal from office, and disqualification to hold any office of honor, trust, or profit, under this State. The party convicted shall, nevertheless, be liable to indictment, trial, judgment and punishment, according to law.

SEC. 4. All civil officers, whose authority is limited to a single election district, a single judicial district, or part of either, shall be appointed, hold their office, be removed from office, and in addition to liability to impeachment, may be punished for official misconduct, in such manner as the Legislature, previous to their appointment, may provide.

SEC. 5. If any civil officer shall become disabled from discharging the duties of his office, by reason of any permanent bodily or mental infirmity, his office may be declared to be vacant, by joint resolution, agreed to by two-thirds of the whole representation in each branch of the Legislature: *Provided*, That such resolution shall contain the grounds for the proposed removal, and before it shall pass either house, a copy of it shall be served on the officer and a hearing be allowed him.

AMENDMENT, RATIFIED DECEMBER 6, 1834.

That the fourth article of the Constitution of this State, shall be amended, so as to read as follows, viz : Every person who shall be chosen or appointed to any office of profit or trust, before entering on the execution thereof, shall take the following oath : " I do solemnly swear, (or affirm,) that I will be faithful, and true allegiance bear to the State of South Carolina, so long

as I may continue a citizen thereof; and that I am duly qualified, according to the constitution of this State, to exercise the office to which I have been appointed; and that I will, to the best of my abilities, discharge the duties thereof, and preserve, protect and defend the Constitution of this State, and of the United States: So help me God."

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